

REMARKS

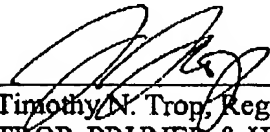
The reliance on Fan is not understood. Fan has nothing to do with multiplexed optical signals and nothing to do with detecting demultiplexed wavelengths. Fan is a photodetector for a camera. Reliance on this reference under Section 102 should be unavailing. It has nothing to do with the claimed invention and this is, presumably, why it was never relied on before. For example, similar claims were previously indicated to be allowable when Fan was cited, but not relied upon. Now, the camera patent to Fan is relied on under Section 102 despite the absence of any multiplexing, any multiplexed optical signal, or any demultiplexing of any type. Certainly, there is no multiplexed optical signal. To suggest otherwise would be to claim that light in the air that might be imaged by the camera is a multiplexed optical signal. There is no basis for such a position and reconsideration would be appropriate.

Claim 12 was rejected under Section 103 based on a single reference. Logically and legally such a rejection cannot make out a *prima facie* case. Concededly, since Section 103 is relied upon, Takagi is missing an element. Takagi cannot teach modifying itself. The suggestion that something is known in the art is belied by the admission that Takagi does not teach it. To the extent this "art" is intended to be relied upon, a reference should be cited. Similarly, the assertions of conventional remedies should be supported by citation of art. The suggestion of a string of items which are allegedly conventional remedies or known in the art does not suffice at this stage (upon final rejection) to make out a viable *prima facie* rejection. No rationale to combine is asserted other than "accordingly it would have been obvious to a skilled person to integrate the additional filter with the photodetector in order to supplement filter 5 and obtain a higher isolation of the wavelength." But nothing anywhere in the prior art suggests such a thing. The rejection fails to make out a *prima facie* rejection and, based on a single reference, is legally and logically unsupportable.

Reconsideration would be appropriate.

Respectfully submitted,

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